

Practitioner's Docket No. 1242/49/2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey R. Balser, Alfred L. George, Jr. and Dan M. Roden

Application No.: 10/000,151

Group No.: 1647

Filed: October 30, 2001

Examiner: Bunner, Bridget

For: HUMAN KCRI REGULATION OF HERG POTASSIUM CHANNEL BLOCK

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 29, 2004, finally rejecting claims 1-3 and 7-19.

## 1. STATUS OF APPLICANT

This application is on behalf of a small entity.

05/03/2005 EFLORES 00000006 500426 10000151

01 FC:2401 250.00 DA

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

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## TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306.

Date:

April 29, 2005

Signature

Christi A. Butner

Christi A. Butner

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity	\$250.00
Notice of Appeal fee due	\$250.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee	\$510.00
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If an additional extension of time is required, please consider this a petition therefor.

An extension for three months has already been secured, and the fee paid therefor of \$510.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request	\$0.00
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**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$250.00
Extension fee	\$0.00
IDS fee	\$180.00
<b>TOTAL FEE DUE</b>	<b>\$330.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$330.00 to Deposit Account No. 50-0426.

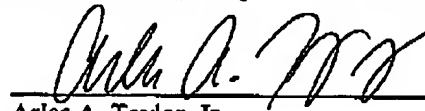
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, charge Deposit Account No. 50-0426.

Date:

04/29/2005

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